

Southern District to Initiate Electronic Case Filing

The United States District Court for the Southern District of New York announced today that it will begin to phase in a new case management/electronic case files (CM/ECF) system in February 2003. CM/ECF will allow the Court and litigants to file and access documents electronically via the Internet, 24 hours a day and 7 days a week. In addition, court records in civil cases designated for inclusion in the ECF portion of the system will be available to the public by the same means. The case management and docketing (CM) portion will replace aging software currently used by federal courts and provide customizable docketing and reporting capabilities.

The electronic case files portion of ECF offers numerous benefits including:

- Twenty-four hour electronic access to case files from any location.
- Remote document filing.
- Docketing as a by-product of electronic filing.
- Concurrent access to files.
- Electronic service of court filings.
- Immediate e-mail notification of case activity, as appropriate.
- Reduced need for physical file space.

- Secure storage of documents.
- Continued use of paper documents, if desired.

The ECF portion of the system will be phased in, with groups of Judges implementing the program throughout 2003. The first group of Judges will include Judges Batts, Brieant, Conner, Kaplan, Koeltl, Martin, McMahon, Mukasey, Preska, Stein, Sweet, and all the Court's Magistrate Judges.

Each participating Judge, in his or her discretion, will designate some or all newly filed cases assigned to that Judge as electronic filing cases. All court papers subsequent to the complaint in such cases shall be filed electronically. Electronic filing may be effected over the Internet, by bringing an electronic version of the document to the Clerk's Office on diskette for inputting or, where permitted by the judge, by bringing the paper document to the Clerk's Office for scanning into the system. Electronic filing over the Internet will require only a computer with Internet access, software capable of converting documents into PDF format and, in some instances, a scanner.

Each person filing a pleading or other document electronically will serve a Notice of Electronic Filing on parties entitled to service by e-mail, hand, facsimile or first-class mail. Electronic service of the Notice of Electronic Filing will constitute service of the filed document.

The Court has established an ECF Advisory Committee consisting of attorneys and technical personnel from a broad spectrum of law firms and public law offices including the offices of the United States Attorney for the Southern District

of New York, the Attorney General of the State of New York, and the Corporation Counsel of the City of New York to advise in the implementation of ECF. It anticipates close liaison also with relevant bar association committees to disseminate information and to assist counsel in becoming familiar with the operation of the system.

The Court will offer hands-on training classes for attorneys beginning in January 2003. To promote familiarity with ECF, the Court encourages use of the computerized training program for individual instruction ([CBT](#)), which is available on the Court's Web site (www.nysd.uscourts.gov). Once CM/ECF is implemented, the Court will support ECF with a help desk telephone line and information posted on the Web site, including a list of frequently asked questions.

In order to prepare for ECF, the Court has adopted a [standing order](#) setting forth procedures for electronic filing. The standing order is available on the Court's web site (www.nysd.uscourts.gov) and from the Clerk's Office. The Court invites comments on the procedures from the Bar. Comments should be delivered to the Rules Committee of the Court, Attention Clifford Kirsch, District Executive, no later than December 17, 2002.

A version of CM/ECF has been in operation in the United States Bankruptcy Court for the Southern District of New York for some time. The United States District Court for the Eastern District of New York also is an ECF court.

Press Inquiries: Hon. Lewis A. Kaplan
 Chair, Technology Committee

(212) 805-0217

Other Inquiries: J. Michael McMahon
Acting Clerk of Court
(212) 805-0136
